

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 LAUSTEVEION JOHNSON,

4 Plaintiff

Case No. 3:19-cv-00772-RCJ-CLB

ORDER

5 v.

6 NEVADA OFFENDER MANAGEMENT
7 DIVISION, *et al.*,

8 Defendants


9 **I. DISCUSSION**

10 On December 30, 2019, Plaintiff, an inmate in the custody of the Nevada
11 Department of Corrections ("NDOC"), submitted a civil rights complaint under 42 U.S.C.
12 § 1983 and filed an application to proceed *in forma pauperis*. (ECF Nos. 1, 1-1).

13 Plaintiff's application to proceed *in forma pauperis* is incomplete. Under 28 U.S.C.
14 § 1915(a)(2) and Local Rule LSR 1-2, Plaintiff must complete an application to proceed
15 *in forma pauperis* and attach both an inmate account statement for the past six months
16 and a properly executed and current financial certificate. Plaintiff has submitted a
17 financial certificate dated May 9, 2019 and an inmate account statement for the period of
18 November 10, 2018 through May 9, 2019. Therefore, Plaintiff has not submitted a current
19 financial certificate or an inmate account statement for the past six months. (See ECF
20 No. 1). Plaintiff will be granted an opportunity to cure the deficiencies of his application
21 to proceed *in forma pauperis* by filing a current financial certificate and an inmate account
22 statement for the past six months, or in the alternative, pay the full \$400 filing fee for this
23 action. If Plaintiff fails to file a current financial certificate and an inmate account
24 statement for the past six months, the Court will dismiss the case in its entirety, without
25 prejudice, to file a new case when Plaintiff is able to acquire the necessary documents to
26 file a complete application to proceed *in forma pauperis*. The Court will retain Plaintiff's
27 civil rights complaint (ECF No. 1-1), but will not file it until the matter of the payment of
28 the filing fee is resolved

For the foregoing reasons, IT IS ORDERED that the Clerk of the Court WILL SEND Plaintiff the approved form application to proceed *in forma pauperis* by a prisoner, as well as the document entitled information and instructions for filing an *in forma pauperis* application.

IT IS FURTHER ORDERED that, if Plaintiff fails to timely file a current financial certificate and an inmate account statement for the past six months, the Court will dismiss the case, without prejudice, for Plaintiff to file a new case when he is able to acquire the necessary documents to file a complete application to proceed *in forma pauperis*.


UNITED STATES MAGISTRATE JUDGE